

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NO. 2008-401-C - ORDER NO. 2009-58

FEBRUARY 11, 2008

IN RE: Petition of the Office of Regulatory Staff for)	ORDER REVOKING
Commission to Order a Rule to Show Cause)	CERTIFICATES OF
as to Why the Certificates of Public)	PUBLIC CONVENIENCE
Convenience and Necessity for Certain)	AND NECESSITY
Providers of Telecommunications Services)	
Should Not Be Revoked - USF Reports)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) by way of the Petition for a Rule to Show Cause as to why Certificates of Public Convenience and Necessity (“Certificates”) of certain telecommunications companies should not be revoked for failure to file Universal Service Fund (“USF”) reports. ORS’s Petition was filed with the Commission on October 23, 2008. The Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2008).

The telecommunications companies listed in Exhibit A to ORS’s Petition are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (1976 & Supp. 2008). Further, these telecommunications companies have submitted themselves to the jurisdiction of the Commission by virtue of holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

Telecommunications companies holding a Certificate are required to file universal service fund reports. “Subject to the approval of the Commission, the Office of

Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or which it is required to enforce.” S.C. Code Ann. §58-9-370(A) (Supp. 2008). The Commission’s USF guidelines approved in Order No. 2001-996 require each carrier to file on an annual basis the information necessary to allow ORS to calculate the carrier’s contribution. The annual filing is referred to as the Universal Service Fund Contribution Worksheet (“USF Report”).

ORS developed a list of the telecommunications companies that failed to file the requisite USF reports for the year ending 2007. ORS attached the list as Exhibit A to ORS’s Petition. On December 15, 2008, ORS prefiled the direct testimony of Mr. Thomas H. Allen advising the Commission of those companies that had failed to file the required report and included as Exhibit THA-2 a list showing those carriers that had come into compliance since the filing of the Petition.

At the hearing held on January 28, 2009, ORS was represented by C. Lessie Hammonds, Esquire. Thomas H. Allen, Tariff Administrator of the Telecommunications, Transportation, Water and Wastewater Department, testified for ORS.

At the hearing, Mr. Allen presented testimony that certain companies certificated by the Commission to provide telecommunications services have failed to file the required Universal Service Fund reports. Further, Mr. Allen testified that since the filing of the Petition and the submission of prefiled testimony in this matter, certain of the telecommunications companies named in the Petition have come into compliance with

the Commission's Rules and Regulations. At the hearing, ORS submitted a revised Exhibit THA-1 listing those companies which remained out of compliance.

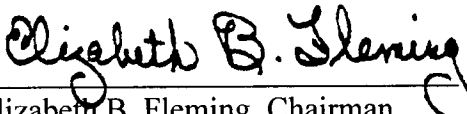
The Commission finds that the Petition should be dismissed as to those companies who have complied with S.C. Code Ann. §58-9-370(A) (Supp. 2008) and with the Commission's Rules and Regulations as of the date of the hearing in this matter. The Commission is also of the opinion, and so finds, that the Certificates of Public Convenience and Necessity held by the companies which are the subject of this Petition (attached as an Appendix to this Order, labeled "Appendix A" and made a part of the record in this matter as Hearing Exhibit 1) should be revoked and cancelled for their continued willful violation of the Commission's Rules and Regulations and laws concerning reporting requirements of telecommunications carriers.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED:

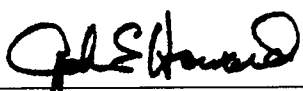
1. That the Certificates of Public Convenience and Necessity held by those companies listed in the Appendix attached hereto be, and hereby are, revoked and cancelled.
2. That all operating rights authorized under the Certificates held by the companies listed in the attached Appendix and cancelled by this Order are null and void.
3. That this Petition be, and hereby is, dismissed with respect to all companies who have complied with S.C. Code Ann. §58-9-370(A) (Supp. 2008) and with the Commission's Rules and Regulations.

4. That this Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)

February 11, 2009

#	OrganizationName	Registered Agent	Secretary of State status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued	Comments
1	GTC Telecom Corporation Alice Breslow - President PO Box 1680 Costa Mesa CA 92626-4626	National Registered Agents Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	1999-82-C	1999-592	8/23/1999	
2	Touch Tone Communications Marchello Anzalone 16 South Jefferson Road Whippany, NJ 07981	TCS Corporate Services Inc 2 Office Park Ct, Ste 103 Columbia SC 29223	Good Standing	Foreign	2002-364-C	2003-310	5/7/2003	